

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CHRISTOPHER E. ROBINSON,

Plaintiff,

v.

**5:21-CV-1098
(TJM/ML)**

**MICHAEL WRIGHT, New York State Parole
Officer; MATTHEW MULLEN, New York
State Parole Officer; and TONIA
ZIMMERMAN, New York State Parole
Officer,**

Defendants.

**THOMAS J. McAVOY,
Senior United States District Judge**

DECISION and ORDER

I. INTRODUCTION

The Clerk of the Court sent the *pro se* complaint (Dkt. No. 1) together with an amended application to proceed *in forma pauperis* (Dkt. No. 7) and a motion for appointment of counsel (Dkt. No. 4) filed by Christopher E. Robinson ("Plaintiff") to the Hon. Miroslav Lovric, United States Magistrate Judge, for review. Judge Lovric granted Plaintiff's amended *in forma pauperis* application, denied Plaintiff's motion for appointment of counsel with leave to renew, and recommended that Plaintiff's Complaint be dismissed with leave to amend. See Order and Rep-Rec., Dkt. No. 9. Plaintiff did not object to the recommendation for dismissal in the Order and Report-Recommendation and the time to do so has passed, although Plaintiff did file an amended complaint. See Dkt. No. 11.

II. DISCUSSION

After examining the record, this Court has determined that the recommendation for dismissal in the Order and Report-Recommendation is not subject to attack for plain error or manifest injustice. The Court will accept and adopt Judge Lovric's recommendation for the reasons stated within the Order and Report-Recommendation.

III. CONCLUSION

Accordingly, Judge Lovric's Order and Report-Recommendation, Dkt. No. 9, is **ACCEPTED and ADOPTED**. Thus, it is hereby

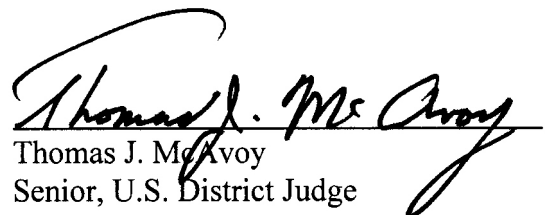
ORDERED that Plaintiff's claims asserted in the Complaint are **DISMISSED WITH LEAVE TO REPLEAD** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and it is further

ORDERED that Plaintiff's Amended Complaint, Dkt. No. 11, is accepted for filing, and the Clerk of the Court is directed to send it to Judge Lovric for initial review; and it is further

ORDERED that Plaintiff's letter motion requesting an extension of time to amend the Complaint, Dkt. No. 10, is **DENIED as moot**.

IT IS SO ORDERED.

Dated: May 11, 2022


Thomas J. McAvoy
Senior, U.S. District Judge